

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Anastacio Lemus Lopez,
Plaintiff,

Case No. 17-cv-01179-RHK-KMM

vs.

Minnesota Vikings Football Club,
LLC, et al.,
Defendants,

**PLAINTIFF'S RULE 26(a)(1)
INITIAL DISCLOSURES.**

and

SMG,
Cross-claim Plaintiff,

v.

The City of Minneapolis,
Cross-claim Defendant.

Pursuant to Fed. R. Civ. P. 26, Plaintiff Anastacio Lopez makes the following initial disclosures.

1. Names and Contact Information of Witnesses (Fed. R. Civ. P. 26(a)(1)(A))

The following persons are likely to have discoverable information Plaintiff may use to support its claims or defenses:

- (a) Anastacio Lopez
6800 Elkins Rd. #C
Midland, TX 79705
432-296-2666

Plaintiff. Knowledge of incident.

- (b) Ignacio Lopez
4500 W. Illinois, Ste. 116
Midland, TX 79703
432-934-1444

Plaintiff's brother. Knowledge of Plaintiff's injuries, condition after incident.

- (c) Any and all of Plaintiff's health care providers, including without limitation:

- i. Samiur Khandker, MD
400 Rosalind Redfern Grover Parkway
Midland, TX 79701
432-221-5252

Any and all other health care providers associated with Samiur Khandker, MD involved in the examination, diagnosis, care, or treatment of Plaintiff.

Custodian of records for Samiur Khandker, MD.

- ii. Brian Beauvais, PA-C
400 Rosalind Redfern Grover Parkway
Midland, TX 79701
432-221-1558

Any and all other health care providers associated with Brian Beauvais, PA-C involved in the examination, diagnosis, care, or treatment of Plaintiff.

Custodian of records for Brian Beauvais, PA-C.

Plaintiff's treating health care providers. Knowledge of Plaintiff's injuries.

- (d) Michael S. Martinez
Martinez Hsu, P.C.
1601 E. Lamar Blvd. Ste. 114
Arlington, TX 76011
682-224-7810

Plaintiff's attorney. Knowledge of attorney's fees.

- (e) Michael P. Nadimi
The Nadimi Law Group, LLC

IDS Center
80 South 8th Street, Suite 900
Minneapolis, MN 55402
651-808-7444

Plaintiff's attorney. Knowledge of attorney's fees.

- (f) Russell Cragin
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (g) Anthony Rodin
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (h) Michael Grahm
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (i) Michael Fossum
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (j) Stephen McCarty
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (k) Gerald Moore
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (l) Janeé Harteau
c/o Sara J. Lathrop
Assistant City Attorney
City of Minneapolis
350 S. Fifth St. – Room 210
Minneapolis, MN 55415
612-673-2072

Defendant. Knowledge of incident.

- (m) Andrew Hodynsky
c/o Genevieve LeFevour
Johnson & Bell, Ltd.
33 West Monroe St. Suite 2700
Chicago, IL 60603-5404
312-984-0228

Defendant. Knowledge of incident.

- (n) Any and all persons initially designated by any defendant, cross-claim plaintiff, or cross-claim defendant, or subsequently designated by Plaintiff or any defendant, cross-claim plaintiff, or cross-claim defendant.

Plaintiff reserves the right to update this list as additional documents and information are produced by the parties, and as discovery continues in this case.

2. Documents and Things in Its Possession (Fed. R. Civ. P. 26(a)(1)(B))

Plaintiff is contemporaneously providing electronic copies to Defendants of the following documents (available for download at https://drive.google.com/open?id=0BzUuNxwh_N2cNUVaZ3NGNGVDRGc):

- (a) Plaintiff's medical records from Midland Memorial Hospital from treatment on December 6, 2016.
- (b) Eight photographs taken by Minneapolis Police personnel on the date of the incident.
- (c) Security video from Vikings Stadium on the date of the incident.
- (d) Video from Officer Russell Cragin's body camera on the date of the incident.
- (e) Video from Officer Anthony Rodin's body camera on the date of the incident.
- (f) Minneapolis Police Department Case Report with Supplements for case no. MP-16-432812.

3. Computation of damages (Fed. R. Civ. P. 26(a)(1)(C))

Plaintiff is seeking damages based on:

- (a) Nominal damages as a result of assault and battery.
- (b) Physical injuries and mental anguish resulting from assault in the amount of approximately \$2 million.
- (c) Various medical invoices totaling approximately \$5,000 (but are ongoing due to mental health issues).
- (d) Damages from lost work opportunities of approximately \$7,000.
- (e) Damages resulting from civil rights violations. Treble amount of damages from part (b). Approximately \$6 million.

- (f) Punitive damages. Treble amount of damages from part (b). Approximately \$6 million.
- (g) Total: Approximately \$14,012,000.

4. Insurance Agreements (Fed. R. Civ. P. 26(a)(1)(D))

Plaintiff is not aware of any insurance agreements that may be liable to satisfy part or all of a judgment that may be entered in the action to indemnify or reimburse for payments made to satisfy the judgment.

Dated: September 15, 2017.

s/ Michael S. Martinez

Michael S. Martinez

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